

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/735,935	NAITO ET AL.	
	Examiner	Art Unit	
	Leonid Kravets	2189	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to application filed 15 December 2003.
2.  The allowed claim(s) is/are 1-3.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 12/15/03
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Lord on 12/20/05.

The application has been amended as follows:

**Claim 1:**

A ~~data storage and reproduction~~ personal video recorder apparatus, comprising:  
a storage portion constituted of a non-volatile memory, said storage portion including a first area storing multimedia data, a second area different from said first area, and a third area, different from said first and second areas;  
a reproduction portion for reproducing the multimedia data stored in said storage portion; and

a control portion causing the multimedia data to be recorded in said first area in said storage portion; wherein

said control portion

causes latest of storage position information which is information on a storage position in said first area, of the multimedia data stored in said first area, and latest of reproduction position information which is information on a reproduction position of the

multimedia data stored in said first area, to be stored in said second area with a flag every prescribed time, and

causes information corresponding to the latest of said storage position information and the latest of said reproduction position information in said second area to be stored in said third area.

Claim 2:

A ~~data storage and reproduction~~ personal video recorder apparatus, comprising:  
a storage portion constituted of a non-volatile memory, said storage portion including a first area storing multimedia data, a second area different from said first area, and a third area, different from said first and second areas;  
a reproduction portion for reproducing the multimedia data stored in said storage portion; and

a control portion causing the multimedia data to be recorded in said first area in said storage portion; wherein

said control portion  
causes storage position information which is information on a storage position in said first area, of the multimedia data stored in said first area, and/or reproduction position information which is information on a reproduction position of the multimedia data stored in said first area, to be stored in said second area every prescribed time, and

causes information corresponding to latest of said storage position information and/or latest of said reproduction position information in said second area to be stored in said third area.

Claim 3:

The ~~data storage and reproduction~~ personal video recorder apparatus according to claim 2, wherein

    said control portion causes the latest of said storage position information to be stored in said second area with a flag.

Claim 4:

The ~~data storage and reproduction~~ personal video recorder apparatus according to claim 2, wherein

    said control portion causes the latest of said reproduction position information to be stored in said second area with a flag.

***Reasons for Allowance***

2. The following is an examiner's statement of reasons for allowance: The instant application claims a personal video recorder apparatus having a non-volatile memory with three separate areas, first area for storing multimedia data; second area for storing latest positions; and a third area for storing the latest position. The closest applicable art (Swidler, US Patent 6,393,578) discloses an index table storing addresses of stored

data every second. This application does not mention storing reproduction positions nor does it disclose flagging the most recent stored position. Swidler thus also does not disclose storing the latest position information in a third area. No applicable reference could be found that discloses a memory having three separate regions as claimed by the instant application. As a result, it is the opinion of the examiner that no references anticipate nor make obvious the invention as claimed by the application.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Kravets whose telephone number is (571)272-2706. The examiner can normally be reached on Mon-Fri 8-430.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim can be reached on (571)272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*l.k.*  
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Art Unit 2189

December 21, 2005

*bjp*  
BEHZAD JAMES PEIKARI  
PRIMARY EXAMINER